



## MINISTRY OF LABOUR

### Report by Mr. Allan Flanders of a Committee of Investigation into the Bristol and Avonmouth Docks Dispute

Report of the Committee of Investigation appointed by the Minister of Labour on the 20th October 1965 to inquire into the causes and circumstances of a difference in the Bristol and Avonmouth Docks involving members of the Transport and General Workers' Union and the Port of Bristol Employers' Association which led to a stoppage of work in the Docks.



LONDON

HER MAJESTY'S STATIONERY OFFICE

1966



## REPORT

To the Right Honourable the MINISTER OF LABOUR.

SIR,

1. I was appointed by you, on 20th October 1965, in the terms of the following Minute of Appointment to be a Committee of Investigation under the Conciliation Act, 1896:—

### MINUTE OF APPOINTMENT

WHEREAS by the Conciliation Act 1896, the Minister of Labour is empowered to inquire into the causes and circumstances of a difference that exists or is apprehended between an employer, or any class of employers, and workmen, or between different classes of workmen;

AND WHEREAS a difference exists in the Bristol and Avonmouth Docks involving members of the Transport and General Workers' Union and the Port of Bristol Employers' Association, which has led to a stoppage of work in the said docks;

NOW THEREFORE the Minister of Labour, by virtue of the said Act, hereby appoints a Committee of Investigation consisting of Mr. Allan Flanders, M.A.; to inquire into the causes and circumstances of the difference;

AND the Minister further appoints Mr. W. A. Thomas to be Secretary to the Committee.

SIGNED by order of the Minister of Labour this 20th day of October, 1965.

N. SINGLETON,

Under Secretary,  
Ministry of Labour.

2. In accordance with my terms of appointment, I have the honour to make the following report.

3. Dockers engaged in unloading packaged timber from s/s *Gloucester City* at Avonmouth Docks stopped work on Monday, 27th September 1965. This unofficial stoppage spread to other Avonmouth dockers and to Portishead dockers during the morning of Tuesday, 28th September 1965; it extended to Bristol City dockers during the afternoon of Wednesday, 29th September 1965. Nearly the whole labour force of registered dockers took part in the stoppage which lasted in all for four weeks.

4. The stoppage delayed work on approximately 50 vessels and is estimated to have cost the nation about £1,000,000.

5. I conducted the hearing in private at the Ministry of Labour's South Western Regional Office at Bridge House, Clifton Down, Bristol, 8, on 27th October and 5th November 1965.

6. Evidence was put before me on behalf of the Transport and General Workers' Union (hereinafter referred to as "the Union") by Mr. R. H. Nethercott, the Regional Secretary, Region No. 3, supported by Mr. T. Davis, local Dock Group Secretary, Mr. T. J. Brown, Regional Committee Chairman, and Mr. W. E. Higgs, Avonmouth Docks Officer; on behalf of the Port of Bristol Employers' Association by Mr. H. E. L. Brown, Chairman, supported by Mr. G. Edney, General Manager, and Mr. K. E. Oaten, Secretary. Evidence from the Union and the Employers' Association was heard jointly on 27th October and separately on 5th November.

7. I also heard evidence on 5th November from four dockers who are Union members. One of these was Mr. C. Foley, spokesman of the Strike Committee formed by the Avonmouth dockers. The others were Mr. A. McGrath, Secretary of the Bristol and Avonmouth Docks Liaison Committee, Mr. A. E. Carroll and Mr. W. H. Carroll, two members of that Committee; Mr. A. E. Carroll was also appointed as Bristol City Docks representative on the Strike Committee in the early days of the dispute to replace an Avonmouth docker who had resigned on appointment as Union branch chairman.

8. Since I shall be referring to the Bristol and Avonmouth Docks Liaison Committee in my report, I should explain that this is the local counterpart of the London Liaison Committee, an unofficial organisation whose aims for the dockers are set out in an 11-point charter and whose background and activities are described at some length in paras. 108 to 114 of the "Final Report of the Committee of Inquiry under the Rt. Hon. Lord Devlin into certain matters concerning the Port Transport Industry". (Cmnd. 2734).

9. I propose in this report

- (i) to explain briefly the machinery of negotiation in the Port Transport Industry and the procedure for the settlement of claims in the Port of Bristol;
- (ii) to outline the background of events leading up to the stoppage of work;
- (iii) to set out the main facts on the cause of the stoppage;
- (iv) to discuss its immediate causes;
- (v) to discuss its underlying causes; and
- (vi) to draw conclusions and to offer recommendations.

## **MACHINERY OF NEGOTIATION AND SETTLEMENT OF CLAIMS**

10. National wage rates and working conditions in the Port Transport Industry are determined by the National Joint Council for the Port Transport Industry which is made up of representatives from the National Association of Port Employers, the Transport and General Workers' Union, the Scottish Transport and General Workers' Union, the National Union of General and Municipal Workers and the Watermen, Lightermen, Tugmen and Bargemen's Union.

11. The constitution of the National Joint Council provides for the establishment at port level of a Local Joint Council comprising representatives from the Unions and the Employers' Association. The Bristol Local Joint Council for Dock Labour is made up of eight representatives of the Transport and General Workers' Union and an equal number of representatives of the Port of Bristol Employers' Association; it negotiates on local matters such as piecework rates, manning scales and other working conditions peculiar to the port and also determines procedure for dealing with local disputes.

12. There is a local Port Agreement, negotiated by the two sides of the Local Joint Council, which sets out conditions of employment and the schedule of piecework rates and corresponding manning scales for loading and discharging; it defines piecework rates as applying to cargo workers who are employed on loading and discharging in the hold, on quay and in craft.

13. The agreed procedure provides that a Union official can report to the employer cases of abnormal cargoes or conditions and make a claim accordingly for extra payment or for additional men. The claim has to be referred promptly by the employer to the Employers' Association. The Secretary of the Association, after an investigation of the circumstances, can then negotiate an extra payment or manning increase with the Union official. If the Secretary is not available, however, the employer concerned and the Union official can negotiate and submit a joint recommendation to the Association for approval.

14. Should the parties be unable to agree, the Union official can ask for an Arbitration Board to be set up, and the Board is required to meet at the place of dispute within eight working hours of the Union's request. The Board has two members, one nominated by the Association and the other by the Union, and they must have no connection with the ship or cargo concerned in the dispute. Terms of reference are jointly agreed by the parties.

15. If the Arbitration Board is unable to agree, the claim can be referred to an Umpire who is appointed by the members of the Board; if, however, members cannot agree as to a suitable person, an Umpire is appointed jointly by the Secretary of the Association and the Union official. The Umpire is required to issue his Award within eight working hours of his appointment. Alternatively, and at the option of the Union official, the claim can be referred to the Local Joint Council.

16. The procedure provides that an Award must be declared in writing and is final and binding on all parties; an adjustment made by a Local Joint Council must also be accepted as final by the parties.

17. If cases occur where either the Employers or the Union claim that a piecework rate should be revised on the ground that it is unduly high or unduly low, or that some adjustment is required in working conditions, the procedure further provides that the Local Joint Council have to meet within seven days of a written request being made by either side to consider the matter, and to make every effort to reach agreement. If such a meeting does not take place or if there is no settlement of the matter within a month (or other mutually agreed period) of the date of the written request, the matter is deemed to have been referred to the National Joint Council for action.

18. The Port Agreement permits no stoppage of work either pending or in consequence of an Award or whilst any matter is in the course of reference to or adjustment by the Local Joint Council.

## BACKGROUND TO THE STOPPAGE

19. In February 1962, the first consignments of packaged timber were received into Avonmouth Docks. On the 5th April 1962, the Employers notified the Transport and General Workers' Union by letter that, because of the change in the method of shipment, they wished consideration to be given to both the piecework rate and the manning scale for handling this commodity on the grounds that the changed method would materially assist the handling operation and result in increased outputs. On the 10th April 1962, arising from the Employers' application, a joint viewing committee witnessed the discharge of packaged timber from the s/s *Columbia Star* at Avonmouth. In view of the small quantities handled at that time it was jointly agreed to defer consideration until such time as further experience had been gained.

20. On the 3rd August 1962, the Employers' request for an adjustment in the piecework rate and the manning scale was further considered by the Local Joint Council, when it was agreed that a piecework rate of 2½d. per man per ton (plus the prevailing percentage addition of 118.04) should apply to all packaged timber, irrespective of the weight of the units, with the existing manning scale of six holdsmen, one deckhand and six men ashore (as applicable to loose timber), being maintained. (The normal piecework rate for loose timber was 4½d. per man per ton plus 118.04%). It was further agreed that the revised rate would be subject to review if experience proved this necessary and that the manning scale for the operation should be determined when consignments were such as to occupy at least a full four hour period of work.

21. In January 1965, the Union asked the Local Joint Council to consider a claim that the rate for packaged timber should be increased to the prevailing rate applicable for the handling of loose timber. On the 1st February 1965, the Piecework Sub-Committee, which is a standing Sub-Committee of the Local Joint Council set up for the purpose of negotiating piecework rates for the varying commodities handled in the port, gave consideration to the Union's application, together with a number of other claims submitted by the Union relating to the handling of timber and logs. Agreement was reached that the Union claims should be remitted to certain members of the Sub-Committee with co-opted representatives on the Employers' side from the timber trade and stevedoring interests.

22. On the 4th March 1965, because of the substantial increase in the tonnage of packaged timber imported and indications that this type of packaging would continue to increase in future years, the Employers asked for a reduction in the manning scale for discharging this commodity. After discussion on the Local Joint Council of difficulties arising from the different standards of packaging of timber received from different countries, it was agreed to defer consideration of the Employers' application for a reduction in manning for a period of twelve months on the understanding that special consideration would be given if consignments were received in the intervening period from specially designed

vessels. The Employers maintain that they were concerned at this time to identify the problem of the lighter weight units of packaged timber coming from the North American Eastern seaboard as distinct from the packaged timber coming from the Western seaboard which was in heavier and generally better packed units and which, in their opinion, provided more than adequate earnings. In evidence they explained that they thought the distinction could be made by drawing the line at an average weight of one ton per packaged unit of timber for the deliveries from the Eastern seaboard.

23. The Local Joint Council, at its meeting on the 4th March 1965, also considered the Employers' request that the employment of tally clerks in the ship's hold should be discontinued. The tally clerks are employed for the discharge of loose timber in accordance with an agreement between the Port of Bristol Authority and the Transport and General Workers' Union of May 1947, and are required to count the number of pieces in each hoist, chalk the number on the hoist and record this figure on the tally sheet. In view of the poor standard of packaging of many unit loads resulting in a proportion of the cargo being discharged in loose form and necessitating the employment of tally clerks in the hold, the Council also agreed to defer consideration of the Employers' claim for a period of twelve months.

24. On the 1st April 1965, the Joint Sub-Committee, to which the Union applications for an adjustment of the piecework rate on a number of timber handling operations had been remitted, agreed to defer consideration of the Union application for an increase in the piecework rate for packaged timber for a similar period of twelve months, in order that both manning scale and piecework rate, together with the conditions relating to the employment of tally clerks, might then be reviewed simultaneously.

25. On Wednesday, the 22nd September 1965, the *s/s Gloucester City* arrived from the Eastern seaboard of North America with a cargo which included approximately 2,000 tons of timber packed in units with an average weight of 18 cwt. per unit. Shortly after the commencement of discharge, the Avonmouth Union official advised the Secretary of the Employers' Association that the men were dissatisfied with the piecework rate for this particular consignment. Notwithstanding the Agreement of March 1965, which provided for a standstill of twelve months, the Employers' Association agreed to the Union request that a joint viewing committee should visit the vessel to witness discharge. On Thursday, 23rd September 1965, the viewing committee, comprising representatives of both sides of the industry, inspected the discharging operation at 2.30 p.m. and decided to remit the matter to the Local Joint Council, in accordance with the Port Agreement.

26. On Friday, the 24th September 1965, an emergency meeting of the Local Joint Council was held. This meeting was attended by nine of the sixteen nominated members of the Council, i.e. five from the Union and four from the Employers' Association. In addition, two representatives of the Bristol Timber Importers' Association, two representatives of the Port of Bristol Authority and one representative of the Port of Bristol Master Stevedores' Association were in attendance.

27. At this meeting detailed examination of outputs of packaged timber previously handled in the port showed that the wide variation in earnings

accruing on this commodity necessitated a complete review of both piecework rates and manning scales. As it was considered that such a review would require some time to complete, the Employers sought to treat the *s/s Gloucester City* in isolation and to negotiate an additional lump sum payment, a not unusual procedure for dealing with such cases. The Union were opposed to this method of disposing of the matter and expressed the view that it would be in the interests of both parties to negotiate a higher piecework rate for lighter weight units.

28. For some time it seemed that the views of the parties could not be reconciled. The Employers made what appeared to be a final offer of an interim increase of  $\frac{1}{4}$ d. per ton plus the prevailing addition of 128.94% (which had the effect of increasing the basic rate of  $2\frac{1}{4}$ d. to  $3\frac{1}{4}$ d. per man per ton plus 128.94%) for units of one ton and under, subject to the understanding that a complete review of manning scales, piecework rates and employment of tally clerks, should be undertaken as soon as possible. The proposed increased rate was not acceptable to the Union, who stated that a rate of  $3\frac{1}{4}$ d. per ton per man (plus 128.94%) was the minimum which they were prepared to accept. The parties considered reporting a failure to reach agreement and remitting the matter to the National Joint Council in accordance with agreed procedure. During the course of the discussions, however, the Union received a number of telephone calls from the men working on the *s/s Gloucester City*, who appeared to be putting pressure on the Union representatives. It was understood that the men working on the ship said finally at 5 p.m., not having received any precise information from the Union as to a satisfactory negotiated rate, that they refused to work overtime that evening and on Sunday, 26th September. The Employers then agreed to increase their offer to an additional  $\frac{1}{4}$ d. as an interim supplement to the existing rate of  $2\frac{1}{4}$ d. (equivalent to a rate of  $3\frac{1}{4}$ d. per ton plus the prevailing percentage addition of 128.94%) for units of one ton and under, based on the bill of lading average, subject to negotiations being commenced at once for a complete review of manning scales and piecework rates for all packaged softwood timber. This rate represented a 33 $\frac{1}{3}$ % increase over the rate previously paid. The five Union representatives on the Council agreed to this settlement and the meeting terminated at approximately 6 p.m.

29. On Monday, 27th September, Union officials, announcing the new interim rate to the *s/s Gloucester City* dockers made it clear that they must resume work on the basis of this rate and promised that there would be immediate further talks with the Employers on the question of piecework rates and manning scales generally. This proposal was not accepted and all the registered dock workers, approximately 60, engaged in unloading the cargo from the *s/s Gloucester City* decided to withdraw their labour. On Tuesday, the 28th September 1965, following an unofficial mass meeting, the remainder of the labour force at Avonmouth and Portishead withdrew their labour at 10.00 a.m. in support of the men engaged on the *s/s Gloucester City*. On Wednesday, the 29th September 1965, after an unofficial mass meeting at 12.30 p.m., Bristol City dockers also withdrew their labour. Some 1,500 men had stopped work on about 30 ships.



## COURSE OF THE STOPPAGE

30. Turning now to the subsequent course of the stoppage, I heard several different and at times conflicting accounts of the various official and unofficial meetings held. As it was impossible for me to ascertain in detail what transpired, I have set out below the undisputed facts about the more significant events which followed up to the time of resumption of work. This is best done in diary form.

- Thursday,*      2.00 p.m. Unofficial mass meeting of dockers at Bristol. Strike  
*30th Sept.*      Committee said that they were trying to get mediator  
*1965*              to intervene; advised by the Ministry of Labour's  
Industrial Relations Branch at Bristol that they could  
not conciliate unless invited by the Employers' Association and Union. Further meeting convened for  
10.00 a.m. Friday, 1st October.
- 3.30 p.m. Informal discussion at Port of Bristol Authority  
Offices between Chairman, Vice-Chairman and  
Secretary of the Employers' Association with local  
Dock Group Secretary and Bristol Docks Officer of  
Union.
- Friday,*        10.00 a.m. Unofficial mass meeting of dockers at Bristol. Strike  
*1st Oct.*        Committee spokesman reported continuing efforts to  
*1965*              contact possible mediator. Further meeting called  
for 10.30 a.m., Sunday, 3rd October.
- 4.00 p.m. Informal discussion at Port of Bristol Authority  
Offices between Chairman, Vice-Chairman, and  
Secretary of the Employers' Association and four  
Union Officers. Union confirmed that they would  
honour the interim agreement and were not prepared  
to agree to a mediator. Union agreed to meet unofficial  
leaders.
- Sunday,*        10.30 a.m. Unofficial mass meeting at Bristol City Docks. Strike  
*3rd Oct.*        Committee spokesman reported on efforts to obtain  
*1965*              mediator and his interview on previous Friday evening  
with a local M.P. who had recommended the men  
to leave the matter to the union and the Employers.  
He reported on discussions which he had had with the  
Union on the previous day at which the Officers had  
offered to convene an official meeting for Monday.  
Unofficial leaders stressed the absence of three  
representatives at the Local Joint Council meeting  
which determined the interim rate.
- Monday,*        10.00 a.m. Official mass meeting of dockers at 'L' Shed convened  
*4th Oct.*        by Union. Dockers rejected advice to return to work.  
*1965*              Union re-affirmed that interim settlement would be  
honoured.
- 3.00 p.m. Informal discussion at Port of Bristol Authority between  
Chairman, Vice-Chairman and Secretary of the  
Employers Association and local Dock Group Secretary  
of the Union.

- Thursday, 7th Oct. 1965* 3.00 p.m. Informal discussion at Port of Bristol Authority Offices between four Employer representatives and five Union representatives of Local Joint Council. Re-affirmed intention to honour agreement of Council. Purpose was to indicate that Union and Employers had discussed position again. Union received backing of the District Committee and proposed calling further official meeting of dockers for Friday, 8th October.
- p.m. Meeting of the Bristol and Avonmouth Docks Liaison Committee at "The Plume of Feathers."
- Friday, 8th Oct. 1965* 10.00 a.m. Official meeting called by Union at 'L' Shed, Bristol. Meeting rejected Union advice to return to work; no further meeting convened at this stage.
- Monday, 11th Oct. 1965* Chairman and Vice-Chairman of the Employers' Association advised the Industrial Relations Branch of the Ministry of Labour, Bristol, of the general position. Following meeting of local officials with the Union's Docks Group National Secretary, announcement made of official Union meeting at Colston Hall, 10.00 a.m., Tuesday, 12th October, with the Docks Group National Secretary addressing the men. Informal meeting between Chairman, Vice-Chairman, of the Employers' Association, Docks Group National Secretary and local Dock Group Secretary of the Union, covering background to the Agreement on s/s *Gloucester City*.
- Tuesday, 12th Oct. 1965* 10.00 a.m. Official Union meeting at Colston Hall addressed by the Docks Group National Secretary of the Union. Men rejected advice to resume work. General disturbance caused by certain dockers, meeting ended in disorder.
- 4.30 p.m. Informal meeting at Port of Bristol Authority Offices between Chairman, Vice-Chairman and Secretary of the Employers' Association with the local Dock Group Secretary of the Union, to discuss Union meeting held in the morning.
- Wednesday, 13th Oct. 1965* 3.00 p.m. Discussion at Port of Bristol Authority Offices between Chairman, Vice-Chairman and Secretary of the Employers' Association and Ministry of Labour Industrial Relations Officer, Bristol.
- 4.00 p.m. Discussion continued with local Dock Group Secretary of the Union present.
- Thursday, 14th Oct. 1965* 10.00 a.m. Industrial Relations Branch, Ministry of Labour, assured Employers' Association that if a conciliation meeting were called, unofficial leaders of the strike would not be present.
- p.m. Discussions between Union and Employers' Association after Union's request for a Local Joint Council meeting. Union withdrew request late in the afternoon.

- Friday,  
15th Oct.  
1965* Union discussion with their District Committee. Announcement made that the Union's Regional Secretary and local Dock Group Secretary would visit London on Monday for consultation with their Executive Officers.
- 4.00 p.m. Meeting between Chairman, Vice-Chairman of the Employers' Association and local Dock Group Secretary of the Union to discuss developments.
- Monday,  
18th Oct.  
1965* Regional Secretary and local Dock Group Secretary in London for consultation. Announcement of official meeting of dockers at Colston Hall, 10.30 a.m., Tuesday, 19th October.
- Discussion between Chairman, Vice-Chairman of the Employers' Association and the Chairman of the National Association of Port Employers. Examined suggestion that Employers should request Minister of Labour to inquire into circumstances of dispute. Agreed that Chairman of the National Association of Port Employers should approach Minister. Announcement made that Minister intended to set up Committee of Investigation.
- Tuesday,  
19th Oct.  
1965* 10.30 a.m. Mass official meeting of dockers at Colston Hall. Men rejected proposal to return to work after refusal by local Dock Group Secretary of the Union, who addressed meeting, to answer questions in view of the Minister of Labour's decision to set up a Committee of Investigation. Meeting ended in disorder and in a walk-out by the men.
- 4.00 p.m. Announcement in local press of unofficial meeting called by strike leaders at The Grove, 10.30 a.m., Wednesday, 20th October.
- Wednesday,  
20th Oct.  
1965* 10.30 a.m. Unofficial mass meeting at The Grove, addressed by the Strike Committee spokesman. There were three propositions from the floor:—
1. To resume work Monday, 25th October.
  2. To continue stoppage until after the inquiry.
  3. To convene further meeting Thursday, 21st October, and to invite press.
- There was a decision in favour of the first proposition from the 300/500 men present.
- Monday,  
25th Oct.  
1965* Work resumed in Avonmouth, Portihead and Bristol Docks.

## IMMEDIATE CAUSES OF THE STOPPAGE

31. Both the Employers' Association and the Union in their evidence place the main responsibility for the stoppage on Communist or fellow-travelling agitation among the Bristol dockers, inspired by the militancy of the Communist leader of the London Liaison Committee. They pointed to his recent meetings attended by certain local dockers in Bristol and London, and they claimed that as a result of his influence the stoppage was extended and prolonged by the Bristol and Avonmouth Docks Liaison Committee as part of their strategy to obtain the dockers' acceptance of their 11-point charter and to defeat implementation of the Devlin Report.

32. I cannot accept that the local Liaison Committee played a major role in causing or prolonging the stoppage for the following reasons:—

- (i) I could find no evidence that the Liaison Committee was involved in the initial stoppage of work by the s/s *Gloucester City* dockers, which arose from a genuine, if misguided, dispute over earnings.
- (ii) The members of this Committee do not appear to have contributed substantially to the extension of the strike throughout the port. Even if stimulated to some extent, the response of the dockers seems largely to have been spontaneous and an expression, whether justified or not, of general discontent.
- (iii) I do not believe that the Liaison Committee had sufficient influence to dissuade the dockers from returning to work. No doubt they saw this as a good opportunity to fan the flames of their anti-Devlin agitation, but the crucial factor was the dissatisfaction of many of the dockers at the handling of the strike by their Union officials.

Mention must be made in this connection of the meeting at the "Plume of Feathers" in Bristol on 7th October 1965, towards the end of the second week of the strike. This was when, according to its Secretary, the Liaison Committee was first formed again into an active body, having previously existed in name only since 7th July 1963. From their point of view it was a timely action to exploit the current situation, so far as they could, for their own ends. It has been said that a local reporter was present at that meeting and privately informed the Chairman of the Union's Regional Committee that the Liaison Committee planned to disrupt the Union's official meeting of dockers on 8th October 1965. I am unable to confirm or deny the accuracy of this statement. Even if it were true, however, it cannot be assumed with any certainty that the Liaison Committee, whatever their intentions, were mainly responsible for the outcome of this meeting, namely the rejection of the Union's advice to the men to return to work.

- (iv) Lastly and most important, there is no indication that the Liaison Committee had, at any time, the command or control of the strike. All unofficial meetings appear to have been led and addressed by the Strike Committee spokesman, who asserted that he had no connection with the Liaison Committee and had certainly never been a member of it. The Union did contend that the Strike Committee spokesman

had, in fact, attended the meeting of Bristol and Avonmouth dockers addressed by the leader of the London Liaison Committee when he visited Bristol on 18th September 1965, but no other evidence was produced to link him with the Liaison Committee and in my judgment he was out of sympathy with its aims.

33. Far from being a well organised conspiracy, the strike seems from the start to have been a muddled affair, and lacked throughout any clear plan or purpose. Its immediate causes appear to have been a number of misunderstandings due partly to failures in communication. One of these concerned the manifest of the *s/s Gloucester City*. The spokesman for the dockers who began work on this ship and who subsequently became the Strike Committee spokesman said that one of the factors in the dispute was that the Local Joint Council, in their meeting on 24th September 1965, declined to consider negotiating on piecework rates for timber packages weighing over one ton. Whilst the Employers had worked out an average weight of 18 cwt. per package on the *s/s Gloucester City*, he claimed to have seen the ship's manifest which indicated a substantial number of packages of one ton and over. The Employers' Association, who sent me a copy of the manifest for inspection, informed me that, out of the cargo of 2,000 tons of packaged timber, only 25 tons were in packages weighing over one ton; they also claimed that the Union had accepted the principle of assessing the piecework rate on the basis of the average weight of packages on the bill of lading. My own examination of the ship's manifest indicates that the spokesman for the *s/s Gloucester City* workers was mistaken in his inferences but he clearly did not accept the assurances given him by his Union on this point.

34. The *s/s Gloucester City* dockers were also angry because they were unable to obtain precise information as to a new piecework rate from their Union officials attending the Local Joint Council meeting on 24th September. Having, as a gesture of their anger, denied themselves overtime working on that same evening and on Sunday, 26th September, they were not in a conciliatory mood when the Union announced the negotiated interim rate to the men on Monday morning, 27th September. The spokesman of the *s/s Gloucester City* dockers has since admitted that he did not understand the meaning of the term "interim rate" at the time, but it is clear nevertheless that the men considered that, in view of the increasing traffic in imported packaged timber, a new long-term rate should have been negotiated for units of packaged timber over a ton in weight.

35. A point which the spokesman of the Strike Committee openly conceded was that had the *s/s Gloucester City* been due, after unloading the packaged timber, to reload with an export cargo which paid a good piecework rate (e.g. wire in multiple coils, a commodity often carried on ships of the *s/s Gloucester City* type) to compensate for what seemed to be an unsatisfactory rate for unloading the packaged timber, the strike would almost certainly have not occurred. I understand that the ship was due to be reloaded with miscellaneous crated goods which did not normally pay a high rate but the Employers' Association told me that the procedure would have allowed an award to be made to supplement the rate.

36. The Strike Committee spokesman contended that the men had not been consulted as to what would have been an acceptable piecework rate prior to the

Local Joint Council negotiations. The Avonmouth Docks Officer of the Union, however, referred to discussions with two men from the *s/s Gloucester City*, one of whom was subsequently the Strike Committee spokesman, on 23rd September, and claimed that an increase of 1d. was mentioned as an acceptable figure. The Union, therefore, with this figure in mind, felt that they had achieved a good rate when a  $\frac{3}{4}$ d. increase was negotiated at the Local Joint Council. In his evidence to me the Strike Committee spokesman said that he had expected an increase of  $1\frac{1}{2}$ d. or 1d. on the rate.

37. Shortly after the strike had started, the men added a further complaint to the effect that they had not been adequately represented at the Local Joint Council meeting on 24th September, because three of the Union lay members were absent. In practical terms these absences probably had no effect on the course of the negotiations, but they undoubtedly had a significant psychological effect on the strikers, who considered that the Union had been placed in a weak negotiating position at the meeting, and had been unable to argue their case adequately.

38. One of the questions which I tried to investigate was why the strike of the *s/s Gloucester City* dockers spread so rapidly to their colleagues in Avonmouth and Portishead and to Bristol City dockers. The underlying causes of the dockers' discontent to which I shall refer later partly account for this, but the immediate cause undoubtedly was the Avonmouth's Strike Committee's action in despatching six of its members in pairs to advise all the other dockers in the port of the strike of the *s/s Gloucester City* men. Ostensibly, according to the Strike Committee spokesman, the messages carried were to put the rest of the dockers "in the picture", and not to ask for support, but I have no doubt that, whatever the messengers said, the intention was to gain the support of all the dockers in the port. Otherwise I can see little purpose in such action. It certainly had the effect of bringing the Port of Bristol to a standstill, and one must assume that the Bristol dockers generally felt themselves in close sympathy with the cause of the *s/s Gloucester City* strikers.

39. I was next concerned to find out why the stoppage lasted for so long and formed the impression that most of the reasons centred around the Union's relations with their members. Obviously the Union were right to insist on the honouring of the interim award negotiated conscientiously and in accordance with procedure by the Officers on the men's behalf, although it was unfortunate that the precise implications of the award were never explained to the men in terms which they fully understood. It soon became apparent in the early stages of the stoppage, however, that many dockers were alarmed at the unexpectedly wide and uncomfortable consequences of their action and would have welcomed some kind of face-saving concession, even of a quite minor kind (e.g. the possibility of a small award to improve the reloading piecework rate) as a pretext for a general return to work. This was not forthcoming.

40. It was not until 4th October that the Union outwardly displayed any initiative by holding its first official meeting with the strikers, although there had been six unofficial meetings of dockers in the meantime. Further official meetings were held by the Union on 8th, 12th and 19th October. The meeting of 12th October at the Colston Hall was addressed by the Union's Docks Group National Secretary. Hostile elements present were intent on causing trouble,

and the severe denunciation of all the unofficial leaders by the Docks Group National Secretary, early in the proceedings, had unfortunate effects. However justifiable, his remarks inflamed the tempers of many of those present and created a most undesirable atmosphere for the subsequent vote on a return to work. Indeed, the vote to return took place under the most confused conditions. It was not clear to everybody in the hall whether an amendment proposed from the floor had been accepted or withdrawn, and the vote was quite indeterminate. If the meeting had been differently handled and a vote taken before tempers became violently roused, the majority of men present might well have elected to go back. As it was, the meeting played into the hands of the elements who were seeking trouble, and ended in complete disorder. The official meeting held by the local Dock Group Secretary on 19th October was another story of inept handling. The Officer sought to convey that a Committee of Investigation was to be set up and that the men should therefore return to work, but his refusal to accept questions from the floor aroused hostility. This, too, created an angry atmosphere of which the trouble makers present took full advantage.

## UNDERLYING CAUSES OF THE STOPPAGE

41. Both the Union and the Employers expressed the view that labour relations in the port had been generally good up to the time of the stoppage. It is highly unlikely, however, that a strike of such magnitude could have taken place if labour relations had in fact been as good as both sides claimed. I am persuaded that for some time, there had been a steady deterioration in the relationship between the Union and its members, whose lack of confidence in their officials was, in my opinion, a factor which helped to make the *s/s Gloucester City* affair and its immediate consequences possible. It must be said in the Union's favour that they had made commendable efforts to improve this relationship with disheartening results. After 1962 the Union's Regional Secretary, acting on his own initiative, attempted to stimulate the interest of the branches by calling a regular informal monthly meeting of branch chairmen, secretaries and committee men together with the chairman and secretary of the District Committee, the intention being that they should talk freely and constructively about problems affecting Union members. Every branch was circulated. At the first meeting, 18 people came out of a possible 120; at the second 12, and at the third, no-one apart from the Officers. The arrangement had to be abandoned and the general apathy continued. It was perhaps of some significance that despite criticisms by the men of their Union Officers and representatives, they had in recent elections re-elected the same branch officials and the same Docks District Committee.

42. At the same time the Union Officers were becoming increasingly over-worked. Among other things, they were being faced with a steadily mounting number of requests for awards on piecework rates. In these circumstances, it is not surprising that difficulties have arisen in recruiting suitable Union Officers, all of whom are required to have had at least five years' experience in docks. When the last Docks Officer was appointed in 1963 only two applications for the post were received.

43. The local Dock Group Secretary and the particular Docks Officer who was concerned in the *s/s Gloucester City* dispute were both men with plenty of

docks experience, but their experience as full-time Union Officers was very limited. They probably had insufficient time to develop the special qualities and the psychological approach required. Nevertheless, the local Dock Group Secretary was able to point to a most impressive record of improved rates and conditions which he has helped to negotiate for the men in recent years and he deserves credit for this. I believe that, had the men seen this record, they might have formed a fairer judgment of their Officers.

44. Another factor which must be counted as a contributory cause of the stoppage was the working of the negotiating machinery. While in theory it provides a completely adequate procedure, it has in practice shown serious shortcomings. Meetings of the Local Joint Council have been irregular; the Union has failed to ensure a consistently full quota of lay representatives on the Council, and Employers' Association representatives have not always been readily available to attend meetings or consultations when required.

45. Communication between the Union and its members, as I have already shown, leaves much to be desired. Stress has been laid by the Union on the importance of its members attending branch meetings and, of course, this is desirable. However, these do not supply an adequate and prompt service for grievances and complaints, many of which need immediate intervention by a Union Officer, and with the present system as it is, it is difficult to see what more the Union Officers can do. Whilst I am strongly of the opinion that Union officials must try to make themselves fully aware of what is in the men's minds before sitting down to negotiate on their behalf, I do not accept the argument put to me by the Secretary of the Local Liaison Committee that Union Officers must always go back to consult the men when the rate being negotiated falls short of what they want. Unions cannot carry out successful negotiations on this basis and Union Officers lose respect when they merely act as messengers and do not stand out against unreasonable demands. That is not democracy but the path of anarchy. The officials in this case are accountable for their actions to elected committees of the Union, a procedure which is necessary to ensure that minority interests do not wreck policies of advantage to the majority of Union members.

46. Finally I come to what I regard as the most fundamental cause of this unfortunate stoppage. Both the Employers' Association and the Union admit that piecework rates, in general, bear very little direct relationship either to effort or to the conditions under which dockers work. It would be no exaggeration to say that at this port piecework rates are very badly out of line, and that the attitude of both sides appears to be that "the smooth" compensates for "the rough". This may have been acceptable to the older generation of dockers but the newer generation are inclined to take "the smooth" and to count upon it, only the more emphatically to reject "the rough". Piecework earnings of Port of Bristol dockers have been rising more rapidly recently than those in many other ports—they are now well above the national average—but this fact does not remove dissatisfaction. Indeed, it is likely that dissatisfaction has been intensified because of a widening gap between the lowest and highest earnings.

47. Efforts have been made on both sides to do something about the situation. The Employers' Association has said openly that, given either casual work or decasualisation, they would be willing to seek a review of the piecework rate



structure and to give fairer shares of work and earnings provided that in such a review the rates were related to output. In 1963 a slip was inserted into every docker's pay packet making the Employers' Association views known and linking the Union with these views. On one occasion the Association took the initiative in proposing an immediate increase in 28 of the lower piece work rates. The Union's Regional Secretary, however, when he suggested a general review of piecework rates to the Docks District Committee, which is elected by the dockers, failed to obtain support for the idea. Undermining the acceptability of such a review has undoubtedly been the men's fear that a reduction in manning scales would almost certainly be coupled with improved piece work rates. The Union in fact agreed that this consideration has been a major stumbling-block preventing further progress in the matter. As a result, manning scales, through changing conditions, have become as unrealistic as the piecework rates. It seems, therefore, that with the Union's reluctance to concede reductions in manning scales and the Employers' Association's insistence that these must be made concurrently with improvements in piecework rates, both sides have felt defeated by the general problem. The joint decision in March 1965 to postpone for twelve months the review of piecework rates and manning scales for softwood packaged timber was at least a symptom of this common outlook, and incidentally, did little to allay the dockers' rising discontent over the rates. Both sides have considered that they have had little alternative but to deal with each piecework rate problem on an *ad hoc* basis through the system of awards. A situation of this kind, apart from throwing a considerable extra load of work on both sides, contains the possibility of an explosion at any time, as is evidenced by the *s/s Gloucester City* affair.

48. I naturally inquired how far the resistance to reductions in manning scales might have been created by fear of insecurity and redundancy. The Employers' Association assured me that the Port of Bristol had an expanding trade and that trade figures over the last complete year for which statistics were available had reached a record figure of 9 million tons. The labour force had never been up to full strength in recent years and, with future prospects of trade remaining good, they could foresee no difficulty about an absorption of the full labour force into profitable piecework jobs following any reasonable overall revision of manning scales. Regular and substantiated reassurances to the dockers on this point from both the Employers and the Union could do much to remove the fear of redundancy which does exist. At the same time, it would help to counteract anti-Devlin propaganda.

## CONCLUSIONS AND RECOMMENDATIONS

49. The first thing to be said by way of summary about this costly yet largely pointless strike is that it is a story without heroes; no one emerges with credit.

- (i) The men working on the *s/s Gloucester City* who started it acted impetuously and irresponsibly. Their Union had negotiated, through the proper constitutional machinery, a favourable agreement on their behalf, offering in addition to a reasonable interim award, the promise of an immediate review of piecework rates and manning scales for packaged timber. Instead of examining the merits of the settlement, they rejected it out of hand in ill-informed anger and so turned a minor dispute into a prolonged stoppage of the whole port.

- (ii) The Bristol and Avonmouth Docks Liaison Committee found a new lease of life with the prospect of fishing in troubled waters. They sought to exploit the resentful mood of the dockers to gain support for their 11-point charter and obstruct the implementation of the Devlin Report. I have tried, elsewhere in my report, to assess the influence of this body during the stoppage. Its intentions were certainly disruptive but I doubt whether it was capable of giving any real leadership or commanding much respect in the eyes of the majority of dockers. I cannot see it as a major factor in prolonging the stoppage.
- (iii) The Port of Bristol Employers' Association have known for a long time that piecework rates and manning scales should be placed on a more realistic footing. Faced with the men's reluctance to accept manning reductions, they fell back on a policy of delay and appear to have given up the possibility of finding a satisfactory answer to this crucial problem. Sooner or later it was bound to create an explosive situation. Moreover there have been occasions in the past when, according to the Union, the Employers have been slow to arrange meetings with them on matters of some urgency or have adopted some kind of delaying tactics which have tended to precipitate strike action.
- (iv) Criticisms of the Union have already been implied in this report, and must now be brought together. In regard to the origin of the strike, it is doubtful whether the terms of the agreement of the Local Joint Council meeting on 24th September were made clear enough to the men; but it is particularly in the subsequent development of the extended stoppage that the Union did not show up too well. The Docks Group National Secretary and the local Dock Group Secretary must bear a measure of criticism for their personal handling of the official meetings of dockers at the Colston Hall on 12th and 19th October respectively; on each occasion there were fair possibilities of getting the men back to work but the chances were spoilt by a tactless approach.

The local Dock Group Secretary came in for a good deal of personal criticism during the stoppage. Although a man of obvious integrity with a good record of local negotiations, he seems to lack the ability to command the following of the dockers *en masse*. It was primarily his limited experience as a Union Officer that caused him to lose control of the situation and to be unable to meet the challenge of the more aggressive unofficial strike leaders. I make these observations with some reluctance as the Officer concerned is clearly overworked and overstrained and is doing his best conscientiously to serve the interests of his Union and its dock members.

The Regional Secretary, a highly esteemed Union Officer, made it clear in his evidence to me that he had been reluctant to intervene in the stoppage because he wanted above all to maintain and strengthen the status of the local Dock Group Secretary in the eyes of the men; to have come in over his head would have weakened his

future position. This argument may have been sound enough during the first week of the strike, but the severe and damaging effects of the continued stoppage should have led the Regional Secretary to revise his attitude. His personality and influence are such that, had he intervened, his commonsense approach might well have persuaded the men to return to work.

Having made these criticisms I must stress the point that unofficial groups, once formed, always have an enormous advantage over the Union in a shouting match. If the Union gets a good settlement, the unofficial elements will say that it is due to their pressure; if the Union fails to persuade the Employers to make concessions, its officials are an easy target for attack. Bearing no responsibility for negotiations, the unofficial elements can set their sights on the moon and court popularity with wild but attractive claims. But compromise between conflicting interests is the essence of successful collective bargaining. At the end of the day it is skilful negotiation, not empty promises, that "delivers the goods". The dockers would do well to remember that the substantial improvements in their earnings in recent years have been achieved by the Union and not by the unofficial elements.

50. Looking now to the future and with the lessons of this stoppage in mind, what positive recommendations can be made?

- (i) One of its significant underlying causes, i.e. the weakness in communications between the Union and its members, needs to be remedied at the earliest opportunity. The existing constitutional arrangements for dockers to participate in the affairs of their Union and even to influence directly the activities of their own local officials are more than adequate on paper. Unfortunately they do not work and, despite all the Union's efforts to improve them, no response is aroused. The Devlin Committee addressed itself to this problem (although it counted Bristol up to then among the ports where the Union had maintained its authority) and suggested that it would best be met by developing a system of properly elected and accredited shop stewards. This would be possible, it argued, once the main objective of providing regular employment had been achieved. I can only concur with that recommendation and suggest that the experience at Bristol reinforces its necessity and urgency if the popular appeal of unofficial action is to be diminished. A system of Union shop stewards, however, would also require adjustments on the Employers' side. They must organise themselves to delegate responsibility much more than they have done so far for the speedy on-the-spot settlement of minor disputes.
- (ii) Given the planned development of better industrial relations in the docks in the years ahead, regularity of Local Joint Council meetings and the full representation of both sides at such meetings will become increasingly necessary. There must be regular Local Joint Council meetings in the Port of Bristol at least once a month on predetermined dates, in addition to special and emergency meetings when required.

The Employers' Side, when planning their activities, must give priority to attendance at such meetings; and the Union side must ensure that it does not have less than its full quota of lay representatives present.

- (iii) I am particularly concerned about the apparent state of helplessness in which both sides find themselves when confronted with the rising dissatisfaction with piecework rates in the docks, a factor which must have contributed to a ready acceptance of strike action by the men. It is a familiar story not only in the docks that when piecework rates get badly out of line two consequences follow. Although average earnings may rise more rapidly, the sense of grievance is aggravated rather than allayed. The constant, and often indiscriminate petty bargaining to which it leads continually throws up fresh anomalies and inequities that are themselves a potent source of dissatisfaction and unrest. This appears to have been the situation at Bristol where the Union have been caught up in a difficult dilemma. On the one hand they have seen their work in servicing members mounting steadily and, on the other, they have observed with dismay the apparent growing ingratitude of their members resulting from the Union's failure to deal adequately with their complaints. The sense of pressure felt by the Union is conveyed to the Employers, who feel that they must call a halt to rising costs by asking for manning reductions in compensation for increases in piecework rates. The difficulty of achieving such agreement in practice is evidenced by the Local Joint Council discussions on packaged timber in March 1965, the Union admitting to me openly that they were greatly relieved when they obtained a postponement for a year of the manning scale revision even though it meant that the question of a new piecework rate was similarly postponed.

There is then an urgent need for a joint review of piecework rates and manning scales to bring both into line with modern requirements. Piecework rates should be revised to relate them more closely to effort and working conditions. Manning scales should be revised so that they become appropriate to the job and are not preserved for purely traditional reasons. Both these issues must be considered together and at the same time, because this is the only way in which it will be possible to level up the poorer to the better rates without an increase in costs. It would, in short, be the best method of reaching a satisfactory local productivity agreement in the docks.

The Devlin Report suggested that reviews of the wage structure and of manning scales should await settlement of the problem of decasualisation. The experience of the Port of Bristol indicates that there may be serious disadvantages in postponing these reviews. There is no denying the force of the argument that, given regular employment, it will be easier to revise both piecework rates and manning scales, but too much delay in dealing with this problem may be dangerous. These are matters, however, very much connected with the negotiations which the National Modernisation Committee for the Port Transport Industry is conducting. Since it is clear that

they can hardly be dealt with separately as far as Bristol is concerned but must be looked at in relation to the national framework, I recommend that the Committee be invited to consider, as soon as possible, the priority which ought to be accorded within its programme to linked local reviews of piecework rates and manning scales.

51. We have seen something in this affair of the disruptive activities of those whom Lord Devlin described as "the wreckers". Like him I believe that anything that makes for good industrial relations is bad for wrecking. The only consolation I can find in the s/s *Gloucester City* affair is that, using the lessons which it has taught the Employers, the Union and the dockers themselves, it may help to point the way to better industrial relations in the Port of Bristol and in all our ports.

52. In conclusion I would like to say how grateful I am to Mr. W. A. Thomas for his valuable assistance in the conduct of the hearings and in the writing of this report.

I have the honour to be,

Sir,

Your obedient servant,

(ALLAN D. FLANDERS)

(W. A. THOMAS), *Secretary*

December, 1965.

